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Counsel for Defendant, DOUGLAS STORMS YORK
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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION
11

12 UNITED STATES OF AMERICA,)	No. CR 15-00226 EJD
)	
13 Plaintiff,)	DEFENDANT DOUGLAS STORMS
)	YORK'S ADDITIONAL PROPOSED JURY
14 vs.)	INSTRUCTION
)	
15)	Pretrial Conference: August 24, 2015
)	Time: 10:00 a.m.
16)	
DOUGLAS STORMS YORK,)	Trial Date: August 25, 2015
)	
17 Defendant.)	
18 _____)	Honorable Edward J. Davila

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20 Defendant Douglas Storms York, by and through Assistant Federal Public Defender Graham
21 Archer, submits this additional proposed jury instruction for the Court's consideration in advance
22 of the pretrial conference set for August 25, 2015.
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Defendant York's Disputed Instruction Re: Count Two - Elements of Offense

Mr. York is charged in Count Two of the Indictment with Telecommunications Device Harassment, in violation of Title 47, section 223(a)(1)(C) of the United States Code.

In Order for the Mr. York to be found guilty of this charge, the government must prove each of the following elements beyond a reasonable doubt:

First, On or about February 23, 2012;

Second, Mr. York failed to disclose his identity;

Third, Mr. York acted with the intent to abuse, threaten and harass a specific person;

Fourth, Mr. York used a telecommunications device; and

Fifth, the telecommunications device moved in interstate and foreign communications.

47 U.S.C. § 223(a)(1)(C)

Dated: August 14, 2015

Respectfully submitted,

STEVEN G. KALAR
Federal Public Defender

s/
GRAHAM ARCHER
Assistant Federal Public Defender